

FILED
JANUARY 4, 2005

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

In the Matter of:

ERNST J. PAUL, JR., M.D.

CONSENT ORDER

This matter was opened before the New Jersey State Board of Medical Examiners (the "Board") upon the Board's receipt of a report from the Medical Practitioner Review Panel (the "Panel") detailing findings and recommendations made by the Panel upon its conclusion of an investigation of conduct engaged in by respondent Ernst J. Paul, M.D. The Panel commenced its investigation upon receipt of a report from Jersey City Medical Center ("JC MC") detailing that Dr. Paul had resigned and surrendered his privileges at JC MC, where he had been the Chief of the Emergency Department, during the pendency of an investigation into, *inter alia*, his having prescribed, on multiple occasions, Ativan to a per diem emergency department nurse with whom he engaged in a consensual Intimate relationship and With whom he admitted he did not stand in a physician/patient relationship.

Respondent appeared and testified before the Panel on May 16, 2003, at which appearance he was represented by Kevin Kiernan, Esq. Upon consideration of respondent's testimony and review of available information and documentation, the Panel found that

respondent telephoned prescriptions for Ativan (C-IV) and for other drugs for E.M., an emergency department nurse with whom respondent engaged in an extramarital sexual relationship. Respondent did not conduct any medical examination of E.M. to support the prescribing of Ativan or other drugs, did not have a physician/patient relationship with E.M., and did not maintain any patient records for E.M. Based on said findings, the Board has concluded that cause for disciplinary action against respondent exists pursuant to N.J.S.A. 45:1-21 (h) and (m).

The parties desiring to resolve this matter without need for formal disciplinary proceedings, and the Board being satisfied that the need for such proceedings is obviated by the entry of the within Order, and being further satisfied that good cause exists to support entry of the within Order,

IT IS on this 28th day of Dec., 2004

.ORDERED AND AGREED:

1. Respondent Ernst J. Paul, Jr., M.D., is hereby reprimanded for having indiscriminately prescribed controlled dangerous substances to E.M., without good cause for the prescribing, without having conducted any medical examination to support the prescribing, without having established a physician/patient relationship with E.M., and without having maintained any patient records.

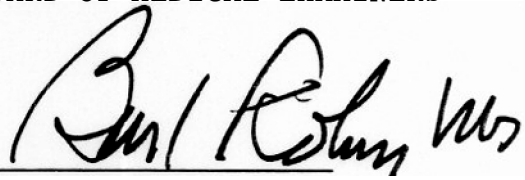
2. Respondent Ernst J. Paul, Jr., M.D., is assessed a civil penalty in the amount of \$5,000, which penalty shall be payable in full upon entry of this Order,

3. Respondent is ordered to attend and successfully complete a course in medical ethics acceptable to the Board, said course to be completed within six months of the date of entry of this Order. Respondent shall ensure that the course provider. submits documentation to the Board attesting that respondent attended and successfully completed said course.


4. Respondent is ordered to attend and successfully complete a course in medical record keeping acceptable to the Board, said course to be completed within six months of the date of entry of this Order. Respondent shall ensure that the course provider submits documentation to the Board attesting that respondent attended and successfully completed said course.

NEW JERSEY STATE
BOARD OF MEDICAL EXAMINERS

By:


Bernard Robins, M.D.
Board President

I represent that I agree to be bound by the terms of this Order and consent to the entry of this Order by the State Board of Medical Examiners.


Ernst J. Paul, Jr., M.D.